

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

APR 20 2005

FILED

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE,

PETITIONER,

VS.

CHERI A. UETTWILLER,

RESPONDENT.

CONSENT
ORDER

CAUSE NO. A-1612

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Janette L. Adair and Cheri A. Uettwiller, ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§44-101.01, 44-4047 et seq. and 44-19,109 (Reissue 2004).
2. Respondent was licensed as an insurance agent under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Cheri A. Uettwiller, Cause Number A-1612 on March 16, 2005. A copy of the petition was served upon the Respondent at the Respondent's address registered with the Department by certified mail, return receipt requested.
2. Respondent violated an Order adopted on or about September 28, 2004 by the Director as a result of the following conduct:

- a. Respondent failed to ensure the completion of a certified public accountant audit of the records of American Escrow Services, Inc prior to December 31, 2004.
- b. Respondent failed to file a report of the above referenced certified public accountant audit prior to December 31, 2004.

3. The Insurance Producers Licensing Act provides that “[t]he director may suspend, revoke, or refuse to issue or renew an insurance producer’s license or may levy an administrative fine...for...(b) [v]iolating any insurance law or violating any rule, regulation, subpoena, or order of the director.” Neb. Rev. Stat. §44-4059(1) (Reissue 2004).

4. Respondent was informed of her right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving her right to a public hearing, Respondent also waives her right to confrontation of witnesses, production of evidence, and judicial review.

5. Respondent admits the allegations stated in Paragraph 2 above.

CONCLUSIONS OF LAW

Respondent’s conduct as alleged above constitutes a violation of an Order of the Director, and pursuant to Neb.Rev.Stat. §44-4059(1) (Reissue 2004) “the director may suspend, revoke, or refuse to issue or renew an insurance producer’s license or may levy an administrative fine.”

CONSENT ORDER


It is therefore ordered by the Director of Insurance and agreed by Respondent, Cheri

A. Uettwiller as follows:

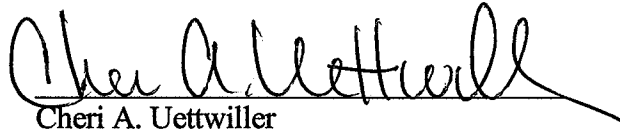
1. Respondent's insurance producer's license shall be suspended beginning on the date the Director of the Department of Insurance affixes his signature to this document and continuing until such time as Respondent complies with the Order of the Director adopted on or about September 28, 2004, and;

2. Respondent shall pay an administrative fine in the amount of \$1,000 within thirty days after the Director of the Department of Insurance affixes his signature to this document and approves this consent agreement. If Respondent fails to pay this fine in the time specified, Respondent's Nebraska insurance producer's license shall be automatically revoked.

In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his signature below.

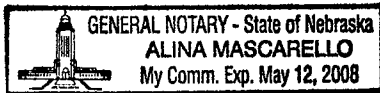

Janette L. Adair, #22618
Attorney for Petitioner
941 "O" Street, Suite 400
Lincoln, NE 68508
(402) 471-2201

4-15-05
Date


Cheri A. Uettwiller
Respondent
4/8/05
Date

State of Nebraska)
County of Douglas) ss.

On this 8 day of April, 2005, Cheri A. Uettwiller personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.

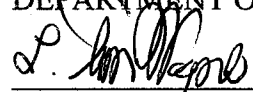



Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Cheri A. Uettwiller, Cause No. A-1612.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



L. TIM WAGNER
Director of Insurance

4/20/05
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petition and Notice of Hearing was served upon Respondent by mailing a copy to Respondent at 1102 Valleyview Drive, Papillion, Nebraska 68046, by certified mail, return receipt requested, on this 21st day of April, 2005.

